

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
MARK SULLIVAN,

Plaintiff,

-against-

23 **CIVIL** 5194 (GHW)

JUDGMENT

PETER GELB, MARCIA SELLS, STEPHANIE
BASTA, and SAMUEL WHEELER,

Defendants.

-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion & Order dated April 25, 2024, the Court finds that Plaintiff's claims for tortious interference, breach of the covenant of good faith and fair dealing, fraud, negligence, negligent misrepresentation, and concerted-action liability are preempted by section 301 of the LMRA. The section 301 claims are untimely, as is the claim alleging breach of the duty of fair representation. And Plaintiff fails to state a claim for assault under New York law. Therefore, the Court has granted Defendants' motions to dismiss this case with prejudice. Judgment is entered for Defendants; accordingly, the case is closed.

Dated: New York, New York

April 26, 2024

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk